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**DESIGNATED INSTANT RESPONSE TEAM
D.I.R.T.**

VANIER CONSULTING

CYNTHIA VANIER, C.MED.

Cynthia Vanier has been providing Dispute Resolution Services as a private practitioner since 1992 and has acted as a Negotiator, Mediator, Fact Finder and Consultant. Cynthia Vanier is a Chartered Mediator with a well-established and unique practice dedicated to high-risk unconventional Mediation work. Cynthia works primarily within First Nation communities with issues involving Land Claims, intergovernmental conflict, Community issues, and stakeholder facilitations. (Mining industry, business, financial and multi party issues involving land claims, usage, treaty rights.) Cynthia is also trained in other areas including Kidnap, Ransom Negotiations and Asset Recovery facilitation. Cynthia has a one of a kind instant response team established to respond to conflicts within Ontario with a recognized ability to diffuse and calm the most contentious and difficult environments. This Response team approach has contributed to safe early and productive dialogue enabling stakeholders to preserve relationships and move forward in a healthy positive framework.

- Cynthia Vanier is a member of the ADR Institute of Canada and is a Chartered Mediator. Cynthia practices in the field of Conflict Resolution as a Mediator, Arbitrator, Fact Finder, Consultant and Trainer, and is one of 300 Canadians on the Roster of Experts registered by CANADEM. Currently she is working on her Masters designation in International Peace Keeping through a program sponsored through the United Nations.
- Through these companies and CANADEM, Cyndy has accomplished an extensive range of public and private sector mediation and arbitration experience in Canada, and to organizations and individuals operating in international markets.

- Cynthia has an international reputation for her work with The First Nations communities in Canada and the US, and is recognized for her sensitivity and skill in working with cross-cultural matters.
- Cynthia is committed to peaceful resolution; respectful, successful mediations; leadership in the practice generally, with particular emphasis on the management of diversity; and to developing the practice to provide services to a wider client base through affiliations and partnerships.
- Career experience includes business development and the design of training programs in a mediation firm; human resources and labor relations' consultant; and a depth of customer relations, staff training, and arbitration with major airlines.

MEDIATION / CONFLICT RESOLUTION EXPERIENCE

First Nations

Experience includes:

- Blockade, Occupation Mediation, and Fact Finding, Custom Election Code ratification and implementation of Fact Finding Recommendations, Mississauga #8 First Nation May 2008 – Present
- Wahnapiatae First Nation Mediation/Facilitation Custom Election Code conflict issue Fall of 2008- January 2009
- Temagami First Nation, Bear Island – Mediation, Fact Finding and Facilitation – Custom Code and Governance, Community Capacity Building March 2009 – Present
- White Fish Lake First Nation – Mediation February 2009-Present
- Development of Designated Instant Response Team protocols for use in high risk mediation and sensitive negotiations – including consultations with Community members, stakeholders, OPP Art and ERT teams. May 2008 – Present
- Working with corporations and First Nation's communities towards mutual understanding, such as in the power industry privatization process, mining and health care

- Platinex Mining and Kitchenuhmaykoosib Innuwug (Big Trout First Nation- KI) March 2007- Nov2007
- Caledonia Six Nations of the Grand River- Consultation and Community liaison and negotiation process for parties and stakeholders. Including consultation to Elected Council regarding Land Claim Negotiation processes and internal relationships. May 2006-November 2007
- Mississaugas of the Scugog First Nation – Community Facilitation and Workplace Facilitation August2007-2008
- Residential Schools mediations in various parts of Canada 1995-2004 .
- Border disputes with First Nations in British Columbia and Ontario, leading to improved communication resulting in peaceful resolutions.
- Land claim disputes, blockade negotiations including the Upper Nicola Indian band, Merritt, BC, October 1995. Walpole Island, Grassy Narrows, Lake of the Woods, Ipperwash.
- Consulting with Six Nations of the Grand River – Caledonia dispute May 2006-November 2007

Cyndy has unique, extensive experience acting as a mediator in disputes involving First Nations issues and various governmental and non-governmental entities, and trains other mediators in the field.

International

Experience includes:

- Fact finder in an architectural dispute concerning the Smithsonian's National Museum of the American Indian in Washington, D.C. (1998 to 2002).
- Negotiator in complex multi-cultural issues and hostage taking situations in Canada, the US, Mexico, Bahamas and elsewhere.
- Anti-Terrorism, Fraud, and other High Risk Facilitation and Negotiations

Appointment to the Roster of Experts of CANADEM (Resource Bank for Democracy and Human Rights) is highly significant, and will lead to increasing involvement in complex international situations requiring diplomatic strategies and conflict resolution through fact finding, mediation and negotiation. CANADEM is a rapid reaction, civilian standby mechanism established by the Canadian Government to respond to requests from the United Nations and their agencies. Clients will include private organizations, Governments, and leaders of corporations involved internationally during crisis.

Community Consultation

Proactive strategic facilitation to assist companies both public and private sector with communicating large project concepts and impact discussions for Major Mining Companies, Communities, and First Nation Communities, Ministries and project participants to ensure positive relationships, and early resolution of any potential community relations issues. Cynthia is also participating in the design and development of Provincial Best Practices under “Duty to Consult” clauses in many Ministry portfolios which deal with Land Claims, Mining Exploration and projects with Public input and potential positive economic impacts. (Impact Benefit Agreements, which extend beyond First Nation Interests)

Corporate, Insurance, Personal Injury, and Civil Matters Mandatory Mediation Program Toronto, Ottawa, Windsor

Through the Mandatory Mediation Program in all three cities Cyndy has served as one of the original Roster Mediators mediating a variety of civil actions under rule 24.1.

Victim Offender / High Risk

Experience includes:

- Facilitating between victim, offender, families and the courts; also includes correctional facilities. Advises on placement and treatment alternatives; works with all parties towards the maximum recovery possible for the entire family unit.
- Facilitation and consulting to Family members, Business and Government Agencies involving Kidnapping, Acts of Violence, both Nationally and Internationally.

Governments / Public Policy

Experience includes:

- Negotiation, neutral fact-finding and facilitation in a number of community and public policy issues.
- Design and implementation of dispute processes for public organizations, with emphasis on strategies to manage conflict in multi-cultural settings.

- Designed the “*Stop the Madness*” program for schools – a youth conflict resolution process for teachers and students.

Organizational Conflict

Cyndy has facilitated numerous organizational disputes involving employee relations, senior management issues and negotiation issues within unionized and non -unionized environments. She has implemented grievance processes to enable organizations to self manage issues in a proactive cost effective manner leading to improved productivity and harmony within the most competitive of environments both nationally and internationally.

Stakeholder Facilitation and Community Consultation Process

As a consultant for Portage, Program for Drug Dependencies Inc. 2001 – Present. Facilitation of Stakeholders to explore feasibility and implementation of Adult Programs in the Province of Ontario in collaboration with Ministry of Health, Ministry of Community and Social Services, Regional Stakeholders and the Public at large. The purpose of the program is to provide comprehensive adult programming, which will enable marginalized at risk adults to recover successfully and return to gainful employment through support mechanisms and opportunities available through local business and corporations through job creation. Cross cultural issues within the community through a needs assessment and fact finding has continued to be the corner stone of the success in moving this undertaking to the proposal stage which is currently before multiple stakeholders. These programs are being considered province wide and already exist for adolescents in Elora Ontario.

Sports / Industry

Experience includes:

- Retained by the Ontario Hockey Federation (OHF) as lead mediator and advisor in various disputes, consultant to OHF and member organizations on dispute resolution strategies.

- Boundary disputes, disciplinary issues (including game suspension appeals) between hockey leagues and involving players and neighboring teams.
- Contract negotiations and agreements between players and team representatives; insurance matters, referee matters, penalty disputes and issues involving parents, coaches and players.

Cyndy has extensive experience in corporate mediations and arbitrations in insurance, commercial and insolvency matters, peer mediation in schools, health care issues and other sensitive issues (HIV related issues in the workplace). She has a strong background in a customer sensitive environment dealing with organizational conflict, employee issues such as grievances, safety and health, harassment, rehabilitation and absenteeism programs and Work Place Safety Insurance disputes.

AFFILIATIONS AND PROFESSIONAL INVOLVEMENTS

- Roster of Experts: CANADEM; Department of Foreign Affairs
- Province of Ontario –Native Affairs – Instant Response Team appointment Spring of 2009 – Present
- UNITAR – United Nations Masters Candidate Program in International Cross Cultural Peace Keeping – Present
- Chartered Mediator (C.Med.) - designation from Arbitration & Mediation Institute of Canada
- AMIC - Arbitration and Mediation Institute of Canada
- Ontario Mandatory Mediation Program – Toronto / Windsor
- Walkerton Water Compensation Plan – Member of Roster
- ADR Institute Ontario – Complaints Facilitator OACCAC –Present
- Faculty member – Certificate Program in Dispute Resolution, University of Toronto (1997-1999)
- SHIP (Supportive Housing in Peel) Foundation – Board member (1997-2001)
- Community Research Initiative of Toronto (Board member 1996-1998)
- Member of the Mississauga Board of Trade (1992-1996) and chair Human Resources Committee (1996)
- DRE (Dispute Resolution Educator) Atkinson College York University, 2004 to Present
- York University Dispute Resolution Program Faculty Member Present ongoing

- York University Dispute Resolution Program Continuing Education Atkinson College “The Practice of Mediation” 2005-Present
- Mediators Beyond Borders, 2007 to Present

CONFERENCES AND PUBLICATIONS

Insight Conference – Key Note Speaker – Aboriginal Consultation and Accommodation –Strategies for working together May 2009

Co- Chair and Key Note Speaker – Canadian Institute Conference – Aboriginal Law, Consultation & Accommodation February 2009

Aboriginal Law and Consultation – February 2008-Key Note Speaker-“Learning Lessons from Recent Disputes, Avoiding Critical Legal and Tactical Mistakes”

Workshop – Resolving Disputes at the “Crisis Stage” New and Practical Strategies – CANADIAN INSTITUTE

Negotiating In Aboriginal Communities, Canadian Institute September 2007 – Workshop on Implementing Agreements in Aboriginal Communities

“Rebuilding Nations”, Arizona University and the Harvard Negotiation Project- Hosted at Six Nations of the Grand River – Oshweken Ontario September 2007

“Implementing Agreements in Aboriginal Communities” – The Canadian Institute, Negotiating in Aboriginal Communities Conference, Toronto (August 2007)

“Resolving Residential School Claims Through ADR” – The Canadian Institute; Institutional Liability Conference, Toronto (February 2002)

“Reconciliation and Healing” – ADR Strategies for Residential School Claims, Winnipeg, Manitoba (1999)

“Building Bridges” – Training Manual for Purolator Courier Ltd. (1996)

“Using Direct Action to Resolve Conflict” – Making Peace and Sharing Power, Victoria, BC (May 1996)

“WCB Mediation, Rights Based vs. Interest Based” – Workers Compensation Board Mediation Skills Training (December 1995)

“Causes of Conflict” – publication and conference - Pacific Business & Law Institute, Vancouver (October 1995)

July 29, 2011

Fact Finding Report – Mission Date: July 17, 2011 –July 26, 2011

To: Christine Vincent- CANADEM by Email as attachment

Background and Overview

In response to the conflict in Libya between the East and West I was approached about participating in a Fact Finding Mission to address the reported Human Rights violations and gaps in relevant information that were reported by various sources. In addition to the above there are corporations who have active contractual obligations within the Libyan country, and that these corporations have also struggled with balancing the media reports with accounts from in country from staff and representatives within various regions of Libya.

The Libyan Government authorized visas and entry into Libya for the purpose of allowing access to the People of Libya, visitors and those working within Libya, and to assess the situation first hand without any boundaries being imposed or suggested.

Our Team consisted of a Fact Finder (the writer)/Mediator, a Security Detail, translator fluent in Arabic, and a member of the Canadian Libyan Community (referred to us through an Embassy representative).

We departed on July 16,2011 and arrived in Libya late on July 18th, 2011. We stopped over in Pristina Kosovo, which is where our staging area and set up location is established. The location in Pristina has been selected based on the close proximity by flight the Mid East, Africa and all points in Europe and easy access to North America.

There is a communications centre that is fully operational in Pristina as well as in Mount Forest Ontario (Corporate offices of Vanier Consulting Ltd.) The Communication centre is manned 24/7 while our team is on the ground in country on any mission or assignment. The purpose of the communication centre is to track location of the team, and to activate any emergency measures that may be required when in high-risk conflict areas.

The areas of fact finding that we focused on during this first mission included but were not limited to the following: Seeing first hand the devastation and destruction of Nato bombing

sites, Interviewing refugees, visitation of refugee camps, meetings with Ministers of the Libyan Government in Tripoli, attendance at various sites where demonstrations are actively taking place, response to requests from NGO's on the ground in Tripoli, and meetings with the Fact Finding NGO currently working on gathering of information pertaining to the current conflict in Libya, meeting with Tribal leader and representative of the 2000 tribes in Libya.

The following are brief overviews of preliminary findings for the purpose of informing Canadem of the needs and opportunities to assist through Humanitarian processes as well as proposed engagement of dialogue between the East and West Regions of Libya.

NATO Bombing Sites

We visited several sites that were targeted by NATO strikes. Several residential homes have been destroyed and civilian casualties including children and women are noted. Many of these sites are in densely populated areas that are residential. There do not appear to be any Military installations in many of these areas. We also viewed the Gadaffi compound that was struck several times during our visit and noted that there are civilians of Libya who are supporters of the Libyan Government in and around the compound area including children and families. There are several Tribal groups residing in and around the compound area demonstrating their desire to maintain the current Libyan Government structure. Many of the residential homes leveled by the bombing have not been reported by media however there are losses that are devastating and catastrophic in nature which has led to increased animosity over the involvement of NATO. We witnessed several young children (age 2-14) shaking and terrified of noises, people and night time darkness, in fear that they will be killed by a NATO bomb. The Stress of the bombing is taking its toll on innocent families and children who are powerless to change the current situation, and wondering why they are hated so much to be attacked in this way. We were told this many times and often by little children who have no idea why this is taking place. The purpose of this overview is to highlight the impact on civilians who do not have a particular view point either way and who are visibly caught in the middle of this conflict by location.

REFUGEE Situation

We visited a Refugee site – Cidisaya, which is located about one hour outside of Tripoli.(by Road). What makes this particular camp interesting to note is that the people living in the camp are from Benghazi. The camp is the former construction housing for a Chinese company called (BCEG). The BCEG project involves the building of over 25,000 homes in this area. The project ground to a halt when NATO began their air strikes. The company turned over their facility which houses several hundred construction contract workers and serves as the in country offices for BCEG. The facilities were turned over to provide housing for the refugees that came from Benghazi.

We learned that 15,000 families fled from Benghazi to get away from the Rebel forces.

Many of these families ended up in Egypt or Tunisia. Those that have family in Tripoli have been taken to their homes and there are many people in and around Tripoli that have taken people into their homes so that they do not have to live in a camp setting. There are still approximately 6,000 families in Cidisaya. When the Ministry of Immigration and Refugees learned that there were thousands of Libyan people who had fled to Tunisia and Egypt, arrangements were made to bring them to Libya to the camp area. These Refugees fled the Rebel forces, and all have reported that their homes were either destroyed, ransacked or burned. Many have family members who were killed because they did not pledge their allegiance to the Rebel forces when the conflict began in February. All families from Benghazi and Misrata are being paid their salaries and funds that they would have always received for proportionate share of resource revenue in spite of the current war. The Camps are completely supported by the Libyan Government and that these needs for clothes, food and supplies continue to be provided by the Libyan Government. There is a constant flow of new families arriving to the camps that are both from Benghazi and Misrata regions. The stories are all similar in that they are escaping the Rebels and that they were forced to escape or die. There are many who are still in Benghazi that were forced to sign a paper at the courts claiming to support the Rebel Forces. There are accounts of relatives and Family members being sentenced to death by the Benghazi Court which is being run by an appointed Lawyer/Judge and that executions are taking place within an hour of the sentence.

We have also heard accounts from many of the women about the abuse they suffered and that they are aware of women being held in Benghazi in the basement of the hospital to be used by rebel forces. It is reported that there are approximately 20 women being held. There was a reluctance to provide specific details or names as there is fear that they will be executed in any case.

There were accounts about how there is confusion among the people from Benghazi and Misrata at the Refugee camps because they do not understand why NATO is bombing the very people they claimed to protect. The families who fled the areas in the East claim that those now living there are not from Libya but from other areas including the DENA tribes from Egypt. We were advised by the Refugee directly that pretty much all of the people who were from Benghazi and Misrata fled, and those who were left behind are few in numbers, however there are many from outside of the country claiming to be residents who may not be. (?).

There are hundreds of stories and accounts of what happened in the early days of the conflict which require vetting by a team of specialists to further investigate the facts as they have been presented during this brief exposure.

Ministry Meetings with Libyan Government

In recognition that our team was able to access any Minister who holds a portfolio within the Libyan Government located in Tripoli, it is important to note that there was a consistent

trend in the dialogue. There is no objection to participating in a political diplomatic discussion to deal with the internal conflict within Libya. On several accounts which have been verified based on meeting records prior to the uprising in mid February 2011, there is compelling evidence that the current Transitional Council was actively participating with the Libyan Government in discussions surrounding the future of the Libyan Governance structure. It came as shock to all participants in the dialogue process that the people called upon by the Libyan Ministers to engage in such a discussion are the people who appear to have led the uprising to escalate the changes prematurely and to serve another agenda. Internal records and meeting records speak to this relationship and the intrinsic values that all believed they were operating under in the interest of the Libyan People. It appeared to the writer that there was a discussion regarding succession planning in the event of changes due to natural causes. There is also evidence of funds transfers in advance of the uprising that appear to be orchestrated as preplanning for an event.

In the Ministry meetings, there is concern that there was not enough information provided to the UN Security Council to base their decision to engage in striking via bombing areas that include collateral damage. There are many theories regarding the intent of the actions and that in spite of this there is a strong sentiment that the resolution must come from the Libyan people and within the control of the Libyan People.

For this reason it is the view of the writer that there is a willingness to engage in discussions however these dialogues must not be with preconditions other than an agreed upon stay and cease fire so that the political resolution can be tabled which includes a potential referendum by the People of Libya. (it would be prudent to have this process supervised through the Governance expertise available through the Canadem Network.)

Humanitarian Efforts

Throughout our visitation and observations, there was an overwhelming acceptance that Humanitarian aid is necessary. The Sanctions imposed have created several life threatening circumstances. Some examples of this are – Insulin medications for Libyan people, HIV and anti viral medications, antibiotics, Cancer treatment medications, Dialysis medications, and adequate medical treatment due to the increase in specific injuries incurred due to the war, and the injuries sustained by innocent civilians. At no time was there a refusal or denial of access to assist in this manner both for the East or the Western Regions. Some examples of this dilemma are that past shipments for sustainable medications was not allowed to enter the country due to the embargo and financial challenges with seized assets. (Pharmaceutical companies had been paid but goods paid for cannot be shipped..) There is an agreement in place between Benghazi and Tripoli that supplies for medical needs would be divided between the two regions to insure that both regions are properly serviced. This agreement has yet to be accepted by the UN. To this day Tripoli continues to send supplies to Benghazi, however the supplies will run out shortly leaving both regions in a predicament. The need as outlined is a process to insure that the medical supplies are properly distributed to serve the needs of the people of Libya. Two of the largest suppliers

are Glaxo and Apotex located in North America.

Review of Human Atrocities

The writer has been provided with video footage of crimes against humanity which are highly sensitive and extremely graphic. The writer has a responsibility to insure that these accounts are reported and that the truth of the evidence be tabled in the International Community. Due to the sensitivity of the political and security issues as a Canadian who has gained the trust and credibility of the International Community to fact find and assist with insuring that the Human Rights of people are not violated, it is imperative that the Canadian Government be properly informed as to the gaps in information based on facts that are verifiable from the regions in conflict.

The Writer has been placed in an unusually and unique place to provide specific guidance that may lead to a resolution providing that the Canadian Government is prepared to address these concerns with a view to upholding our Canadian reputation as Peace Keepers and a Nation that honors the rights of people through human dignity, justice and equality.

There are many other issues that require more time on the ground, and resources with the expertise to properly vet, evaluate and establish relevance in the political arena.

It is evident based on my initial findings to conclude that the facts are not clear and that International Implications are potentially hampered due to the lack of clarity that existed when the UN security Council made their decisions in mid February. The opportunity to adjust and correct the course in the interest of Human Rights that cannot be overshadowed by veiled opportunities.

There is a need to immediately place a human rights investigative team on the ground in all regions of Libya to determine how these issues evolved and whether or not the right approach has been initiated to resolve the current crisis.

In conclusion we run the risk that when we intend to help, we sometimes do more harm than help, and that finding the balance of these two polarized places remains our duty and challenge to get it right, or face the consequences that will define who we are and what role we have played in our place of time and contribution to History, whether it be for the right reasons, with the best of intentions. Should the decision be to do nothing, that would be unconscionable as it undermines the very fabric of who we are and what we believe. It is not about us, it is about the people.

Respectfully Submitted by,

Cynthia Vanier C.Med.

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Canadem Preliminary Report Libya, July 16-26, 2011

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Thursday August 4, 2011

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Vanier Consulting Ltd
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Dear Cyndy,

Thank you for meeting with me yesterday to review the preliminary results of your fact finding mission. The level of the people you were able to meet, the testimonials you gathered, as well as videos and the pictures you brought back are eye opening.

I was happy to learn that the facts that you were able to confirm on the ground correspond to what our employees have been relaying to us. Hopefully, as a neutral third party, your findings will be able to shed the truth on the real events happening on the ground.

In the meantime, we want to continue working with you to further plan the eventual return to the country in terms of negotiating tactics with the current or replacement powers, how to best attract and integrate the return of our staff to our projects in country.

Best regards,

Stephane

A handwritten signature in blue ink, appearing to read 'Stephane', located below the typed name.